

STATE OF WISCONSIN

Senate Journal

Seventy-Seventh Session

TUESDAY, October 26, 1965.

9:00 o'clock A.M.

The senate met.

The president in the chair.

Prayer was offered by the Reverend Alvin F. Berg of St. Paul Evangelical Lutheran Church of Madison.

The roll was called and the following senators answered to their names:

Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Miller, Rasmusen, Risser, Rose-leip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Absent—Senators Lourigan and Panzer—2.

LEAVES OF ABSENCE

Senator Panzer was granted a leave of absence for today's session, upon motion of Senator Knowles, with unanimous consent.

Senator Lourigan was granted a leave of absence for to-day's session, upon motion of Senator Zaborski, with unanimous consent.

INTRODUCTION OF AMENDMENTS

Substitute amendment 2, S. to **Senate Bill 389** was offered by Senator Meunier.

Substitute amendment 2, S. to **Assembly Bill 332** was offered by Senator Meunier.

PETITIONS AND COMMUNICATIONS

The State of Wisconsin
Office of Attorney General
Madison

The Honorable, The Senate
State Capitol
Madison, Wisconsin

Gentlemen: **Senate Resolution 28** requests my opinion as to the constitutionality of the provisions regarding the reservation of mineral rights in certain lands and the taxation of such mineral rights, contained in **Senate Bill 334**.

Senate Bill 334 would create section 70.428 of the Statutes consisting of seven subsections. Subsection (1) would define mineral rights or reservations to include the reservation of any organic or inorganic substance which can be extracted from the earth for profit. Subsection (2) provides that an owner of mineral rights reserved separately from the surface rights, except for governmental entities, should record with the register of deeds, prior to 1967, a reaffirmation of such rights and proof of ownership thereof and pay a filing fee therefor. Failure to record such a statement prior to 1967 would result in extinguishment of such rights. Subsection (3) would require the county treasurer, commencing 90 days prior to December 31, 1966, to publish notices to owners of mineral rights reserved separately from the surface rights that failure to record the statement required by subsection (2) would extinguish such rights.

Subsection (4) provides that any person, except a governmental entity, who acquires mineral rights in land subsequent to December 31, 1966, shall record with the register of deeds a statement of such fact and pay a filing fee therefore. The Bill provides no time limit for recording such a statement nor any sanction for enforcement of the subsection.

Subsection (5) provides that starting in 1967 mineral rights shall be assessed and taxed to the person who has filed or who hereafter files such a statement, at the rate of 10¢ per acre. The subsection further provides that such tax bill shall be "in addition to all other taxes provided by law and shall be levied concurrently with any other real property tax on the land and shall be used for the same purposes as real property taxes." If the tax is not paid, the mineral rights of such a person shall be sold as in the case of other real property.

Subsection (6) requires the register of deeds to cooperate with the assessor, while subsection (7) provides that all provisions of law not in conflict with the new section, relating to the assessment, collection and payment of real estate taxes, the correction of errors in assessment and tax rolls, and the procedure upon failure to pay such taxes, shall apply to the tax imposed by the new section.

This bill raises several constitutional questions. Separately reserved mineral rights, acquired prior to 1967, would be extinguished upon the failure of the owner to record a reaffirmation prior to 1967. Similar rights acquired in 1967 or later would not be extinguished by reason of the failure of the owner to record a statement of ownership. This presents a question of equal protection of the law.

Separately reserved mineral rights, under the Bill, would be assessed at 10¢ per acre. In addition, the property would continue to be assessed at full value, under sec. 70.32 (1), Stats., including the value of minerals on the property. Thus, a piece of property not subject to a separate reservation of mineral rights would be assessed at full value, while identical property which was subject to a reservation of mineral rights would be assessed at full value and taxed upon that assessment plus an additional tax of 10¢ per acre for the reserved mineral rights. Furthermore, a reservation of mineral rights having a known and substantial value would be assessed at the same rate as a reservation of mineral rights without any appreciable, known value. This raises questions of equal protection and of uniformity in taxation, under section 1, Article VIII, Wis. Const.

As previously pointed out, one acquiring separately reserved mineral rights prior to 1967 would be required to record his reaffirmation of such rights before 1967, or else suffer the extinguishment of his rights. As applied to one acquiring such rights on December 31, 1966, it is obvious

that in many situations it would be impossible to record a reaffirmation on the same day. This presents questions of equal protection and of taking property without due process of law.

As the Bill is drawn, a person acquiring separately reserved mineral rights in 1967 or later would be required, by subsection (4) of the proposed statute, to record a statement of such fact and pay a filing fee. However, since there is no sanction provided for enforcement of that provision, the owner of such rights acquired subsequent to 1966 could refuse to record the statement. The effect of this would be to prevent the assessment of his reserved mineral rights, since subsection (5) of the proposed statute would require that reserved mineral rights be assessed and taxed to the person who has recorded such a statement. This again poses problems both of equal protection and of uniformity.

Art. VIII, sec. 1, Wis. Const., provides, so far as here material:

"The rule of taxation shall be uniform * * *. Taxes shall be levied upon such property with such classifications as to forests and minerals including or separate or severed from the land, as the legislature shall prescribe.
* * *"

The section as originally adopted did not expressly provide for any classifications as to forests and minerals. In its original form it was held to mean that, while certain classes of property may be exempted entirely from property taxes, all property subjected to such taxation must be assessed and taxed on a uniform basis. *Knowlton v. Supervisors of Rock County* (1859), 9 Wis. *410. Later cases, particularly *Lawrence University v. Outagamie County* (1912), 150 Wis. 244 at 250, 136 N. W. 619, recognized that "the rule of uniformity may be effectually abrogated by arbitrary exemptions from taxation as by arbitrary impositions of unequal amount."

Senate Bill 334 would impose a greater tax upon a property subject to a reservation of mineral rights than upon a property of equal value but not subject to such a reservation, thus in effect, granting a partial exemption for the latter. While I have found no case directly in point upon this particular question, I consider it very likely that this aspect alone might result in the law being held unconstitutional under the uniformity clause.

Certainly the amendment to Article VIII, section 1, empowers the legislature to make classifications as to forests and minerals for tax purposes. The classification made by this Bill, however, is not of forests or minerals but of the nature of the title thereto. If the mineral rights are owned by the owner of the surface rights, one tax rate is applicable. If the mineral rights are reserved separately from the surface rights, a different tax rate is applied.

Entirely aside from the rule of uniformity, it is well established that the equal protection of the laws provision of the 14th amendment to the federal constitution imposes restrictions on the granting of tax exemptions. A tax exemption classification must be founded upon real differences affording rational grounds of distinction. *Lawrence University v. Outagamie County*, supra; *Welch v. Henry* (1937), 223 Wis. 319, at 323, 271 N. W. 68; and *Will of LeFeber* (1937), 223 Wis. 393, at 398-399, 271 N. W. 95. In the latter case the Court held that a classification for tax purposes must be reasonable and must rest upon some difference having a substantial relation to the object of the law, so that all similarly circumstanced persons should be treated alike.

Tested by these requirements, in my opinion a law enacted in the language of Senate Bill 334 would not be constitutional. I cannot conceive any reasonable basis for extinguishing reserved mineral rights acquired in December, 1966, if the owner of such rights fails to record in that month a reaffirmation of his rights, and permitting the owner of reserved mineral rights acquired in January, 1967, to hold such rights indefinitely, whether or not he records a statement of his ownership.

For the foregoing reasons, even without considering some of the other constitutional problems involved, it is my conclusion that Senate Bill 334, if enacted, would not create a valid law.

Very truly yours,

BRONSON C. LA FOLLETTE,

October 25, 1965.

Attorney General.

CAPTION: A bill to require recording of proof of ownership of separately reserved mineral rights, to extinguish such rights acquired prior to 1967 if proof of ownership is not recorded prior to 1967 without any provision for extinguishment of such rights acquired after 1966, taxing the reserved rights to the holder thereof only if proof of own-

JOURNAL OF THE SENATE [Oct. 26, 1965]

ership is recorded, while in all cases continuing to tax the holder of the surface rights for the full value of the property, including the value of the minerals, would violate the uniformity clause of Article VIII, section 1, Wisconsin Constitution, and the equal protection clause of the 14th amendment to the federal constitution.

The reading at length of the foregoing opinion of the Attorney General was dispensed with and the caption only was read by the clerk, upon motion of Senator Christopher-son, with unanimous consent.

COMMITTEE REPORTS

The committee on Agriculture reports and recommends:
Senate Bill 390

Passage; Ayes, 4; Noes, 0.

J. EARL LEVERICH,
Chairman.

The committee on Education reports and recommends:
Assembly Bill 849

Adoption of amendment 1, S.; Ayes, 2; Noes, 2. Without recommendation and concurrence; Ayes, 4; Noes, 0.

PETER P. CARR,
Chairman.

MESSAGE FROM THE ASSEMBLY

By James P. Buckley, chief clerk thereof.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in

Assembly Joint Resolution 90 and

The action by which the assembly, upon motion of Assemblymen Mittness, Obey and Mato, pursuant to Joint Rule 26, has directed the Legislative Reference Bureau to prepare a suitable joint certificate of Congratulations to Mr. Warren E. Hicks, the first person to serve as Industrial Educa-

JOURNAL OF THE SENATE [Oct. 26, 1965]

tion Assistant to the Wisconsin State Superintendent of Public Instruction and one of the early developers of vocational education in this state, on the 100th anniversary of the date of his birth, and has

Passed and asks concurrence in

Assembly Bill 446 and

Assembly Bill 1001 and has

Concurred in

Senate Joint Resolution 107

Senate Bill 595 and

Amendment 1, S. and amendment 2, S. to Assembly Bill 666 and

Nonconcurred in

Senate Bill 469

ASSEMBLY MESSAGE CONSIDERED

The assembly's action under Joint Rule 26, pursuant to motion of Assemblymen Mittness, Obey and Mato was concurred in, upon the joint motion of Senators Carr, Leverich and Smith.

The senator's action was ordered immediately messaged to the assembly.

Assembly Joint Resolution 90

Was read.

Was referred to calendar, upon motion of Senator Knowles, with unanimous consent.

Read first time and referred:

Assembly Bill 446 and

Assembly Bill 1001

Were referred to calendar, upon motion of Senator Knowles, with unanimous consent.

FURTHER MESSAGE FROM THE ASSEMBLY

By James P. Buckley, chief clerk thereof.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in

Assembly Bill 159 and

JOURNAL OF THE SENATE [Oct. 26, 1965]

**Assembly Bill 408 and has
Concurred in
Senate Bill 517**

ASSEMBLY MESSAGE CONSIDERED

Read first time and referred:

Assembly Bill 159

Was referred to the joint committee on Finance, upon motion of Senator Keppler, with unanimous consent.

Assembly Bill 408

Senator Krueger asked unanimous consent that the bill be referred to the calendar.

Senator Leonard objected.

The bill was referred to the committee on Conservation, upon motion of Senator Hansen, with unanimous consent.

MOTIONS

Assembly Bill 262 and

Assembly Bill 519

Were recalled from committee on Highways and referred to the calendar, upon motion of Senator LaFave, with unanimous consent.

CONSOLIDATED CALENDAR OF MONDAY, OCTOBER 18th, CONTINUED

SECOND READING AND AMENDMENT OF ASSEMBLY BILLS

Assembly Bill 740

Relating to correcting the definition of the term "owner."

Read a second time.

Senator Leonard asked unanimous consent that the bill be re-referred to the committee on Conservation.

Senator Risser objected.

The question was: Shall the bill be ordered to a third reading?

JOURNAL OF THE SENATE [Oct. 26, 1965]

Upon motion of Senator McParland, with unanimous consent, the senate recessed until 10:20 o'clock this morning.

RECESS

10:20 o'clock A.M.

The senate was called to order by the president.

Upon motion of Senator Knowles, with unanimous consent, the senate proceeded to consideration of the following bills on the consolidated calendar of Monday, October 18th.

SECOND READING AND AMENDMENT OF ASSEMBLY BILLS

Assembly Bill 844

Relating to construction and maintenance of school premises, yards and roadways.

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and concurred in.

Assembly Bill 872

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 872

Relating to an instruction program in the use of firearms. Was read a third time.

The question was: Shall the bill be concurred in?

The ayes and noes were required and the vote was: ayes, 27; noes, 1; absent or not voting, 5; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Hansen, Hollander, Kendziorski, Keppler, Knowles, LaFave, Leonard, Leverich, Lorge, Mc-

JOURNAL OF THE SENATE [Oct. 26, 1965]

Parland, Meunier, Rasmusen, Risser, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—27.

Noes—Senator Miller—1.

Absent or not voting—Senators Draheim, Krueger, Lourigan, Panzer and Roseleip—5.

So the bill was concurred in.

THIRD READING OF SENATE BILLS

Senate Bill 444

Relating to delinquent income tax accounts.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 24; noes, 5; absent or not voting, 4; as follows:

Ayes Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Draheim, Hollander, Keppler, Knowles, LaFave, Leonard, Leverich, Lorge, McFarland, Meunier, Miller, Rasmusen, Schreiber, Schuele, Smith, Sussman, Thompson and Warren—24.

Noes—Senators Dorman, Hansen, Kendziorski, Risser and Zaborski—5.

Absent or not voting—Senators Krueger, Lourigan, Panzer and Roseleip—4.

So the bill passed.

EXECUTIVE COMMUNICATIONS

The question was: Shall the appointment by the Governor of Mr. Donald James, of Pardeville, a member of the Board of Directors of the Wisconsin Exposition Department, to succeed Mr. Martin Salm, Sr., for the term ending August 1, 1971 be confirmed?

The ayes and noes were required and the vote was: ayes, 29; noes, 1; absent or not voting, 3; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendziorski, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Miller, Rasmusen, Risser, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—29.

JOURNAL OF THE SENATE [Oct. 26, 1965]

Noes—Senator Keppler—1.

Absent or not voting—Senators Lourigan, Panzer and Roseleip—3.

So the appointment by the Governor was confirmed.

The question was: Shall the appointment by the Governor of Herbert P. Velser, of West Allis, a member of the Board of Directors of the Wisconsin Exposition Department, to succeed himself, for the term ending August 1, 1971, be confirmed?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, K r u e g e r, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Miller, Rasmusen, Risser, Roseleip, S c h r e i b e r, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Noes—None.

Absent or not voting—Senators Lourigan and Panzer—2.

So the appointment by the Governor was confirmed.

ASSEMBLY MESSAGE CONSIDERED

Senate Bill 401

Relating to the redemption of revenue or mortgage bonds issued by a municipality.

Amendment No. 1, A. was concurred in.

CONSIDERATION OF MOTIONS

Senate Bill 268

Relating to municipal justices of the peace.

The vote by which the senate refused to pass the bill was reconsidered.

The bill was read a third time and passed.

Assembly Joint Resolution 4

Relating to 4-year terms of office for the governor, lieutenant governor, secretary of state, state treasurer and attorney general.

JOURNAL OF THE SENATE [Oct. 26, 1965]

The vote by which the joint resolution was non-concurred in was reconsidered.

The senate refused to non-concur in the joint resolution.

The joint resolution was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the joint resolution was considered for final action at this time.

Assembly Joint Resolution 4

To create article V, sections 1m and 1n, and article VI, sections 1m, 1n and 1p of the constitution, relating to 4-year terms of office for the governor, lieutenant governor, secretary of state, state treasurer and attorney general.

Resolved by the assembly, the senate concurring, That article V, sections 1m and 1n, and article VI, sections 1m, 1n and 1p of the constitution be created to read:

(Article V) Section 1m. Notwithstanding section 1, beginning with the general election in 1970 and every four years thereafter, there shall be elected a governor to hold office for a term of four years.

(Article V) Section 1n. Notwithstanding section 1, beginning with the general election in 1970 and every four years thereafter, there shall be elected a lieutenant governor to hold office for a term of four years.

(Article VI) Section 1m. Notwithstanding section 1, beginning with the general election in 1970 and every four years thereafter, there shall be chosen a secretary of state to hold office for a term of four years.

(Article VI) Section 1n. Notwithstanding section 1, beginning with the general election in 1970 and every four years thereafter, there shall be chosen a treasurer to hold office for a term of four years.

(Article VI) Section 1p. Notwithstanding section 1, beginning with the general election in 1970 and every four years thereafter, there shall be chosen an attorney general to hold office for a term of four years. Be it further

Resolved, That this proposed amendment be and it hereby is referred to the legislature to be chosen at the next general election, and that the same be published for 3 months previous to the time of holding such election.

Was read a third time.

The question was: Shall the joint resolution be concurred in?

The ayes and noes were required and the vote was: ayes, 21; noes, 9; absent or not voting, 3; as follows:

JOURNAL OF THE SENATE [Oct. 26, 1965]

Ayes—Senators Benson, Bice, Carr, Christopherson, Dorman, Hansen, Kendzierski, Keppler, Knowles, Leonard, Lorge, McParland, Rasmusen, Risser, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—21.

Noes—Senators Busby, Dempsey, Draheim, Hollander, Krueger, LaFave, Leverich, Meunier and Roseleip—9.

Absent or not voting—Senators Lourigan, Miller and Panzer—3.

So the joint resolution was concurred in.

SECOND READING AND AMENDMENT OF SENATE BILLS

Senate Bill 199

Relating to inspection of grain by persons from another state and providing a penalty.

Read a second time.

Amendment No. 1, S. was adopted.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and passed.

Upon motion of Senator Knowles, with unanimous consent, the senate proceeded to consideration of the following bills on the consolidated calendar of Monday, October 18th.

SECOND READING AND AMENDMENT OF ASSEMBLY BILLS

Assembly Bill 128

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 128

Relating to the occupational tax on beekeepers and the payment to beekeepers for colonies destroyed.

Was read a third time.

The question was: Shall the bill be concurred in?

JOURNAL OF THE SENATE [Oct. 26, 1965]

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 4; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—29.

Noes—None.

Absent or not voting—Senators Draheim, Lourigan, Miller and Panzer—4.

So the bill was concurred in.

Assembly Bill 598

Relating to collection of sales taxes and withholding taxes from decedents' estates and from their personal representatives.

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and concurred in.

Assembly Bill 603

Relating to notices to property owners of higher assessments of their taxable real property.

Read a second time.

The bill was nonconcurred in.

Assembly Bill 605

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 605

Relating to grade A milk inspection fees, eliminating the revolving status of such fee revenue, and making an appropriation.

Was read a third time.

The question was: Shall the bill be concurred in?

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kend-

JOURNAL OF THE SENATE [Oct. 26, 1965]

ziorski, Keppler, Knowles, K r u e g e r , LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—30.

Noes—None.

Absent or not voting—Senators Lourigan, Miller and Panzer—3.

So the bill was concurred in.

Assembly Bill 633

Read a second time.

The bill was ordered to a third reading.

Upon motion of senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 633

Relating to unfair trade practices in the dairy industry and temporary increase in fees.

Was read a third time.

The question was: Shall the bill be concurred in?

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 4; as follows:

Ayes—Senators Benson, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—29.

Noes—None.

Absent or not voting—Senators Bice, Lourigan, Miller and Panzer—4.

So the bill was concurred in.

Assembly Bill 873

Relating to uninsured motorist coverage in automobile liability insurance policies.

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and concurred in.

JOURNAL OF THE SENATE [Oct. 26, 1965]

SECOND READING OF SENATE BILLS

Senate Bill 428

Read a second time.

Amendment No. 1, S. was withdrawn by its author, upon motion of Senator Leonard, with unanimous consent.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 428

Relating to annual license fees of domestic life insurance companies.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3. as follows:

Ayes—Senators Benson, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, Krueger, LaFave, Leonard, Lever-ich, Lorge, McParland, Meunier, Rasmusen, Risser, Rose-leip, Schreiber, Schuele, Smith, Sussman, Thompson, War-ren and Zaborski—30.

Noes—None.

Absent or not voting—Senators Lourigan, Miller and Panzer—3.

So the bill passed.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 547

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 547

Relating to creating a Wisconsin correctional reception and treatment center.

Was read a third time.

The question was: Shall the bill be concurred in?

JOURNAL OF THE SENATE [Oct. 26, 1965]

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 4; as follows:

Ayes—Senators Benson, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—29.

Noes—None.

Absent or not voting—Senators Bice, Lourigan, Miller and Panzer—4.

So the bill was concurred in.

EXECUTIVE COMMUNICATIONS

The question was: Shall the appointment by the Governor of Dr. L. C. Scribner, of Stevens Point, a member of the State Board of Health, to succeed W. T. Clark, for the term ending the first Monday in February, 1970, be confirmed?

The ayes and noes were required and the vote was: ayes, 28; noes, 1; absent or not voting, 4; as follows:

Ayes—Senators Benson, Busby, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—28.

Noes—Senator Carr—1.

Absent or not voting—Senators Bice, Lourigan, Miller and Panzer—4.

So the appointment by the Governor was confirmed.

ASSEMBLY MESSAGE CONSIDERED

Senate Joint Resolution 70

Relating to the conduct of studies of highway problems. Amendment No. 1, A. was concurred in.

Upon motion of Senator Zaborski, with unanimous consent, the senate proceeded to consideration of the following bills.

JOURNAL OF THE SENATE [Oct. 26, 1965]

SECOND READING AND AMENDMENT OF
SENATE BILLS

Senate Bill 186

Read a second time.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 186

Relating to the basic science law.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 4; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—29.

Noes—None.

Absent or not voting—Senators Draheim, Lourigan, Miller and Panzer—4.

So the bill passed.

Senate Bill 414

Read a second time.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Leonard, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 414

Relating to a program of state aid for soil and water conservation districts, and making an appropriation.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser,

JOURNAL OF THE SENATE [Oct. 26, 1965]

Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—30.

Noes—None.

Absent or not voting—Senators Lourigan, Miller and Panzer—3.

So the bill passed.

Senate Bill 440

Read a second time.

Substitute amendment 1, S. was adopted.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 440

Abolishing the advisory board on the examination for life insurance agents, creating an insurance agents board, granting rule-making authority and making an appropriation.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 27; noes, 1; absent or not voting, 5; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Hansen, Hollander, Kendzierski, Keppler, Knowles, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—27.

Noes—Senator Risser—1.

Absent or not voting—Senators Draheim, Krueger, Lourigan, Miller and Panzer—5.

So the bill passed.

Senate Bill 586

Relating to integrating the state group health insurance program with the federal plan for hospital and health care for the aged.

Read a second time.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and passed.

JOURNAL OF THE SENATE [Oct. 26, 1965]

Senate Bill 587

Relating to the deduction of premiums for supplementary medical coverage under federal social security in the case of annuitants under the Wisconsin retirement fund.

Read a second time.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and passed.

Upon motion of Senator Rasmusen, with unanimous consent, the senate returned to the 3rd order of business.

INTRODUCTION OF AMENDMENTS

Substitute amendment 1, S. to **Senate Bill 542** was offered by Senators Christopherson and Rasmusen.

Amendment 1, S. to **Assembly Bill 828** was offered by Senators LaFave, Roseleip and Sussman.

Upon motion of Senator Knowles, with unanimous consent, all measures on which final action had been taken at this morning's session and not individually message were ordered immediately messaged to the assembly.

Upon motion of Senator Lorge, with unanimous consent, the senate returned to the 7th order of business.

COMMITTEE REPORT

The committee on Labor, Taxation, Insurance and Banking reports and recommends:

Senate Bill 425

Passage; Ayes, 4; Noes, 0.

GERALD D. LORGE,
Chairman.

JOURNAL OF THE SENATE [Oct. 26, 1965]

Upon motion of Senator LaFave, with unanimous consent, the senate returned to the 8th order of business.

SPECIAL COMMITTEE REPORTS

REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS ON SENATE BILL 571 AND AMENDMENT 1, S.

Recommendation

It is the recommendation of this committee that no action be taken on this bill pending completion of action on Senate Bill 480. It is also the opinion of this committee that the proposal made by this bill would not be in the best public interest, although we recognize that a different conclusion might well be reached by local authorities in Milwaukee County where public employes are more exposed to trends in private retirement programs than in other areas of the state.

If the bill should be passed, however, it is recommended that amendment 1, S. be adopted.

Respectfully submitted,
JOINT SURVEY COMMITTEE
ON RETIREMENT SYSTEMS
Senator Reuben LaFave, Chairman
Assemblyman Vincent R. Mathews,
Vice-Chairman.

Senate Bill 571

The bill was referred to the committee on Governmental and Veterans' Affairs, upon motion of Senator LaFave, with unanimous consent.

REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS ON SENATE BILL 602

Recommendation

It is the opinion of this committee that passage of this bill would be in the best public interest.

Respectfully submitted,
JOINT SURVEY COMMITTEE
ON RETIREMENT SYSTEMS
Senator Reuben LaFave, Chairman
Assemblyman Vincent R. Mathews,
Vice-Chairman.

JOURNAL OF THE SENATE [Oct. 26, 1965]

Senate Bill 602

The bill was referred to the calendar, upon motion of Senator LaFave, with unanimous consent.

REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS ON SENATE BILL 613

Recommendation

It is the opinion of this committee that passage of this bill would be in the public interest.

Respectfully submitted,

**JOINT SURVEY COMMITTEE
ON RETIREMENT SYSTEMS**

Senator Reuben LaFave, Chairman

Assemblyman Vincent R. Mathews,

Vice-Chairman.

Senate Bill 613

The bill was referred to the calendar, upon motion of Senator LaFave, with unanimous consent.

Upon motion of Senator Knowles, with unanimous consent, the senate recessed until 2:00 o'clock this afternoon.

RECESS

2:00 o'clock P.M.

The senate was called to order by the president.

Upon motion of Senator Knowles, with unanimous consent, the senate proceeded to consideration of the following bills on the calendar of Monday, October 18th.

**SECOND READING AND AMENDMENT OF
ASSEMBLY BILLS**

Assembly Bill 154

Relating to an election commission executive secretary in cities of the 1st class.

Read a second time.

JOURNAL OF THE SENATE [Oct. 26, 1965]

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and concurred in.

Assembly Bill 215

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 215

Relating to fiscal notes required for bills before introduction.

Was read a third time.

The question was: Shall the bill be concurred in?

The ayes and noes were required and the vote was: ayes, 25; noes, 5; absent or not voting, 3; as follows:

Ayes—Senators Bice, Busby, Carr, Christopherson, Dorman, Draheim, Hansen, Hollander, Kendzierski, Keppler, Knowles, Krueger, Leonard, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—25.

Noes—Senators Dempsey, LaFave, Leverich, Lorge and Miller—5.

Absent or not voting—Senators Benson, Lourigan and Panzer—3.

So the bill was concurred in.

Upon motion of Senator Zaborski, with unanimous consent, the senate proceeded to consideration of the following bills on the calendar of Monday, October 18th.

SECOND READING AND AMENDMENT OF ASSEMBLY BILLS

Assembly Bill 464

Relating to permitting use of private carrier vehicles by common or contract motor carriers.

Read a second time.

JOURNAL OF THE SENATE [Oct. 26, 1965]

Amendment 1, S. was adopted.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and concurred in, as amended.

Assembly Bill 466

Relating to licenses and permits granted by the public service commission.

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and concurred in.

Assembly Bill 536

Relating to a summary of funds to accompany the biennial budget.

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and concurred in.

Assembly Bill 803

Relating to the term "for hire".

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and concurred in.

Assembly Bill 879

Relating to the powers of the board of government operations.

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and concurred in.

THIRD READING OF BILLS

Assembly Bill 837

Relating to Blue Books for new legislators

Was read a third time.

The question was: Shall the bill be concurred in?

The ayes and noes were required and the vote was: ayes, 28; noes, 2; absent or not voting, 3; as follows:

Ayes—Senators Bice, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—28.

Noes—Senators Benson and Kendzierski—2.

Absent or not voting—Lourigan, Miller and Panzer—3.

So the bill was concurred in.

Assembly Bill 766

Relating to special license plates for congressional medal of honor winners.

The bill on the consolidated calendar of Monday, October 18th was considered at this time, upon motion of Senator Zaborski, with unanimous consent.

Assembly Bill 766

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was laid aside temporarily, upon motion of Senator Bice, with unanimous consent.

Assembly Bill 215

Senator Busby moved that the vote by which the bill was concurred in be reconsidered.

Upon motion of Senator Knowles, with unanimous consent, the senate recessed until 3:15 o'clock this afternoon.

JOURNAL OF THE SENATE [Oct. 26, 1965]

RECESS

3:15 o'clock P.M.

The senate was called to order by the president.

Assembly Bill 215

Was laid aside temporarily, upon motion of Senator Knowles, with unanimous consent.

Senate Bill 75

Relating to revisions in the divorce law and fees upon dismissal of actions affecting marriage.

The bill on the consolidated calendar of Monday, October 18th was considered at this time, upon motion of Senator Thompson, with unanimous consent.

Amendment No. 1, S. to amendment No. 2, A. was adopted.

Upon motion of Senator Knowles, with unanimous consent, the senate proceeded to consideration of the calendar of Tuesday, October 19th.

CALENDAR OF TUESDAY, OCTOBER 19th

EXECUTIVE COMMUNICATIONS

The appointment by the Governor of Jerome M. Schlechta, of Jefferson, a member of the State Personnel Board, to succeed himself, for the term ending July 1, 1970, be confirmed?

The ayes and noes were required and the vote was: ayes, 28; noes, 0; absent or not voting, 5; as follows:

Ayes—Senators Benson, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—28.

Noes—None.

Absent or not voting—Senators Bice, Krueger, Lourigan, Miller and Panzer—5.

So the appointment by the Governor was confirmed.

JOURNAL OF THE SENATE [Oct. 26, 1965]

Upon motion of Senator Knowles, with unanimous consent, the senate proceeded to consideration of the following bills.

SECOND READING OF SENATE BILLS

Senate Bill 274

Read a second time.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 274

Relating to payment toward state employee judgments.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 4; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—29.

Noes—None.

Absent or not voting—Senators Krueger, Lourigan, Miller and Panzer—4.

So the bill passed.

Senate Bill 534

Relating to fire inspection in cities of the 1st class.

Read a second time.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and passed.

Senate Bill 558

Relating to apportionment of county supervisory districts.

Read a second time.

The bill was laid on the table, upon motion of Senator Hollander, with unanimous consent.

JOURNAL OF THE SENATE [Oct. 26, 1965]

Senate Bill 605

Read a second time.

The bill was referred to the joint committee on Finance, upon motion of Senator Hollander, with unanimous consent.

The bill was recalled from the joint committee on Finance and considered at this time, upon motion of Senator Hollander, with unanimous consent.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 605

Relating to the appropriation for 1966-1967 to the highway commission for institution roads.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—30.

Noes—None.

Absent or not voting—Senators Lourigan, Miller and Panzer—3.

So the bill passed.

SECOND READING AND AMENDMENT OF ASSEMBLY BILLS

Assembly Bill 125

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 125

Relating to state purchasing contracts.

Was read a third time.

The question was: Shall the bill be concurred in?

JOURNAL OF THE SENATE [Oct. 26, 1965]

The ayes and noes were required and the vote was: ayes, 26; noes, 1; absent or not voting, 6; as follows:

Ayes—Senators Benson, Busby, Carr, Christopherson, Dempsey, Dorman, Hansen, Hollander, Keppler, Knowles, Krueger, LaFave, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—26.

Noes—Senator Kendzierski—1.

Absent or not voting—Senators Bice, Draheim, Leonard, Lourigan, Miller and Panzer—6.

So the bill was concurred in.

Assembly Bill 301

Relating to appointment of council, misdemeanor appeals and procedure in criminal matters.

Read a second time.

Amendment 1, S. was adopted.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and concurred in, as amended.

Assembly Bill 359

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 359

Relating to state aid to tuberculosis sanitoriums.

Was read a third time.

The question was: Shall the bill be concurred in?

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzierski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—30.

Noes—None.

JOURNAL OF THE SENATE [Oct. 26, 1965]

Absent or not voting—Senators Lourigan, Miller and Panzer—3.

So the bill was concurred in.

The president called Senator McParland to the chair to preside.

Assembly Bill 589

Relating to permitting the adjutant general's office to use facsimile signatures on certain routine expense vouchers of that department.

Read a second time.

The bill was non-concurred in.

Assembly Bill 694

Relating to homicide or injury by dangerous weapon.

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and concurred in.

Assembly Bill 728

Relating to the membership of the joint committee on institution standards.

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and concurred in.

Upon motion of Senator Risser, with unanimous consent, the senate proceeded to consideration of the following measures on the calendar of Wednesday, October 20th.

CONSIDERATION OF RESOLUTIONS

Senate Joint Resolution 81

Relating to a study of bidding practices and procedures of government units by the legislative council.

Was read.

The joint resolution was adopted.

JOURNAL OF THE SENATE [Oct. 26, 1965]

SECOND READING AND AMENDMENT OF ASSEMBLY BILLS

Assembly Bill 627

Read a second time.

Amendment No. 1, S. was adopted.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 627

Relating to permitting claims against the state for damages to crops by wild geese and ducks.

Was read a third time.

The question was: Shall the bill, as amended, be concurred in?

The ayes and noes were required and the vote was: ayes, 28; noes, 1; absent or not voting, 4; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—28.

Noes—Senator Dorman—1.

Absent or not voting—Senators Leverich, Lourigan, Miller and Panzer—4.

So the bill, as amended, was concurred in.

Assembly Bill 477

Relating to bulk transfers by retailers of fermented malt beverages, intoxicating liquors and wines and fixtures.

The bill on the calendar of Tuesday, October 19th was considered at this time, upon motion of Senator Knowles, with unanimous consent.

Assembly Bill 477

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and concurred in.

JOURNAL OF THE SENATE [Oct. 26, 1965]

Upon motion of Senator Risser, with unanimous consent, the senate recessed until 4:30 o'clock this afternoon.

RECESS

4:30 o'clock P.M.

The senate was called to order by Senator McParland.

CALENDAR OF THURSDAY, OCTOBER 21st

EXECUTIVE COMMUNICATIONS

Senator Knowles asked unanimous consent that the 12 appointments by the Governor on the calendar be considered en masse.

Senator Risser objected.

The following seven appointments by the Governor were acted upon en masse, upon motion of Senator Risser, with unanimous consent.

The appointments were severally read by the chief clerk.

The question was: Shall the appointment by the Governor of G. Kenneth Crowell, of Menasha, a member of the Coordinating Committee for Higher Education, in accordance with and subject to the limitations contained in Chapter 291, Laws of 1965 for the term ending September 30, 1973, of

Walter J. Kohler, Jr., of Kohler, a member of the Coordinating Committee for Higher Education, in accordance with and subject to the limitations contained in Chapter 291, Laws of 1965, for the term ending September 30, 1969, of

Harold Konnak, of Racine, a member of the Coordinating Committee for Higher Education, in accordance with and subject to the limitations contained in Chapter 291, Laws of 1965, for the term ending September 30, 1967, of

William Kraus, of Stevens Point, a member of the Coordinating Committee for Higher Education, in accordance with and subject to the limitations contained in Chapter 291, Laws of 1965, for the term ending September 30, 1971, of

JOURNAL OF THE SENATE [Oct. 26, 1965]

Frank H. Ranney, of Milwaukee, a member of the Coordinating Committee for Higher Education, in accordance with and subject to the limitations contained in Chapter 291, Laws of 1965, for the term ending September 30, 1967, of

Duane Smith, of Wisconsin Rapids, a member of the Coordinating Committee for Higher Education, to succeed himself, in accordance with and subject to the limitations contained in Chapter 291, Laws of 1965, for the term ending September 30, 1966, and of

C. O. Wanvig, Jr., of Milwaukee, a member of the Coordinating Committee for Higher Education, to succeed Walter Burke, for the term ending October 18, 1965 and for the full term ending September 30, 1973, in accordance with and subject to the limitations contained in Chapter 291, Laws of 1965, be confirmed?

The ayes and noes were required and the vote was: ayes, 24; noes, 6; absent or not voting, 3; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Dempsey, Draheim, Hansen, Hollander, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Roseleip, Schuele, Smith, Sussman, Thompson and Warren—24.

Noes—Senators Chrostopherson, Dorman, Kendziorski, Risser, Schreiber and Zaborski—6.

Absent or not voting—Senators Lourigan, Miller and Panzer—3.

So the appointments by the governor were confirmed.

The following three appointments by the Governor on the calendar of Thursday, October 21st were considered at this time and acted upon en masse, upon motion of Senator Risser, with unanimous consent.

The three appointments were read by the chief clerk.

The question was: Shall the appointment of the Governor of Francis J. Conway, of Thorp, a member of the Consumer Credit Review Board, to succeed himself, for the term ending July 17, 1970 of

Donald T. Corr, of Kenosha, a member of the Savings and Loan Advisory Committee, to succeed himself, for the term ending the first Monday in July, 1969 and of

JOURNAL OF THE SENATE [Oct. 26, 1965]

Paul A. Pratt, of Madison, a member of the Wisconsin Federal Surplus Property Development Commission, to succeed George Schlitz for the term ending July 1, 1968, be confirmed?

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzioriski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—30.

Noes—None.

Absent or not voting—Senators Lourigan, Miller and Panzer—3.

So the appointments by the Governor were confirmed.

Upon motion of Senator Knowles, with unanimous consent, all measures on which final action had been taken at this afternoon's session and not individually messaged were ordered immediately messaged to the assembly.

Upon motion of Senator Hollander, with unanimous consent, the senate returned to the 3rd order of business.

INTRODUCTION OF AMENDMENTS

Amendment No. 1, S. to Assembly Joint Resolution 126 was offered by Senators Hollander, Sussman, Schreiber and Busby.

Amendment No. 1, S. to amendment No. 1, S. to Assembly Bill 718 was offered by Senator Schuele.

Upon motion of Senator Hollander, with unanimous consent, the senate returned to the 11th order of business.

MOTIONS

Senate Joint Resolution 103

Senator Bice asked unanimous consent that the joint resolution be recalled from the joint committee on Finance and referred to the calendar.

Senator Risser objected.

Senate Bill 408

Senator Leonard asked unanimous consent that the bill which had been laid aside temporarily on Thursday, July 29th, be referred to the calendar.

Senator Kendzierski objected.

Senate Bill 425

Senator Lorge asked unanimous consent that the bill be taken from the calendar of Thursday, October 28th and considered at this time.

Senator Draheim objected.

Senator Zaborski asked unanimous consent that the bill be taken from the calendar of Thursday, October 28th and considered at this time.

Senator Draheim objected.

The bill was made a special order for 10:00 o'clock tomorrow morning, upon motion of Senator Lorge, with unanimous consent.

Senate Bill 452

Senator Leonard asked unanimous consent that the bill be recalled from the committee on Conservation and be referred to the calendar.

Senator Risser objected.

Senate Bill 459

Senator Leonard asked unanimous consent that the bill which had been laid aside temporarily on Thursday, July 29th, be referred to the calendar.

Senator Kendzierski objected.

Senate Bill 499

Senator Keppler asked unanimous consent that the bill be recalled from the committee on Highways and referred to the calendar.

Senator Risser objected.

JOURNAL OF THE SENATE [Oct. 26, 1965]

Senate Bill 519

Senator Hollander asked unanimous consent that the bill be recalled from the joint committee on Finance and referred to the calendar.

Senator Risser objected.

Senate Bill 521

Senator Rasmusen asked unanimous consent that the bill be recalled from the joint committee on Finance and referred to the calendar.

Senator Risser objected.

Senate Bill 585

Senator Benson asked unanimous consent that the bill be recalled from the joint committee on Finance and be referred to the calendar.

Senator Kendziorski objected.

Assembly Bill 67

Senator Leonard asked unanimous consent that the bill which had been laid aside temporarily on Friday, October 8th be referred to the calendar.

Senator Risser objected.

Assembly Bill 744

Senator Leonard asked unanimous consent that the bill which had been laid aside temporarily on Friday, July 30th, be referred to the calendar.

Senator Risser objected.

GUESTS INTRODUCED

Senator Hollander introduced a group of students from the Department of Political Science of Ripon College. Dr. William Fleming, chairman.

Senator Lorge introduced Mrs. Talbot Peterson, and 41 members of the Women's Federation of Republican Women of Outagamie County.

Senator Bice introduced Mr. Gindt Henry, an exchange student from Belgium and Mr. Don Bice from Edgerton, Wis.

Upon motion of Senator Knowles, the senate adjourned until 9:00 o'clock Wednesday morning, October 27th, 1965.

JOURNAL OF THE SENATE [Oct. 26, 1965]

CHIEF CLERK'S REPORT

The chief clerk records

Senate Bill 199 and

Senate Bill 440

Correctly engrossed on Tuesday, October 26, 1965.